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OCT 25 2004
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:.	Baker et al.	Docket No:	39780-2830P1C8
Serial No:	10/006,041	Group Art Unit:	1647
Filed:	December 06, 2001	Examiner:	Rachel K. Hunnicutt

For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION OF NAPOLEONE FERRARA, Ph.D., AUDREY GODDARD, Ph.D., PAUL J. GODOWSKI, Ph.D., AUSTIN GURNEY, Ph.D., JAMES PAN, Ph.D., COLIN K. WATANABE and WILLIAM I. WOOD, Ph.D. UNDER 37 CFR 1.131

We, Napoleone Ferrara, Ph.D., Audrey Goddard, Ph.D., Paul J. Godowski, Ph.D., Austin Gurney, Ph.D., James Pan, Ph.D., Colin K. Watanabe and William I. Wood, Ph.D. declare and say as follows:

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2. We have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent No. 6,525,174 (Young *et al.*, issue date February 25, 2003 and effective filing date June 4, 1998) and U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).

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James Pan, Ph.D.	Date

Austin Gurney, Ph.D.	Date
Colin K. Watanabe	Date
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Paul J. Godowski, Ph.D.	10/05/01 Date
James Pan, Ph.D.	Date

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12. The beginning of the cDNA sequence corresponding to SEQ ID NO: 129 in the above-identified application is shown on page 1 of the GSeqEdit database report and

the location of the first nucleotide is marked with "^insert starts here" and an arrow. The location of the last nucleotide corresponding to SEQ ID NO: 129 is shown on page 11 and is marked with an arrow.

13. The amino acid sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 130 disclosed in the above-identified application.

14. The first 26 amino acid residues of the PRO1244 polypeptide (SEQ ID NO:130) encoded by the cDNA (DNA-64883) are also shown on page 1 of the GSeqEdit report and the remaining 309 residues appear on pages 2-6 of the report.

15. Copies of the pages from the GenenGenes database which report the homology data for the PRO1244 polypeptide sequence are attached to this declaration (with the dates and legal status redacted) as Exhibit B.

16. All activities listed under paragraphs 4-15 were completed prior to June 4, 1998. (See Exhibits A and B).

17. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Napoleone Ferrara, Ph.D.	Date
Audrey Goddard, Ph.D.	Date
Paul J. Godowski, Ph.D.	Date
James Pan, Ph.D.	Date

Austin Gurney, Ph.D.	Date
Colin K. Watanabe	Oct 8, 2004
Colin K. Watanabe	Date
William I. Wood, Ph.D.	Date

SV 2062079 v1
10/1/04 2:03 PM (39780.2830)

OCT 25 2004
PATENT & TRADEMARK OFFICE
1612

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Baker et al.	Docket No:	39780-2830P1C8
Serial No:	10/006,041	Group Art Unit:	1647
Filed:	December 06, 2001	Examiner:	Rachel K. Hunnicutt

For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION OF NAPOLEONE FERRARA, Ph.D., AUDREY GODDARD, Ph.D., PAUL J. GODOWSKI, Ph.D., AUSTIN GURNEY, Ph.D., JAMES PAN, Ph.D., COLIN K. WATANABE and WILLIAM I. WOOD, Ph.D. UNDER 37 CFR 1.131

We, Napoleone Ferrara, Ph.D., Audrey Goddard, Ph.D., Paul J. Godowski, Ph.D., Austin Gurney, Ph.D., James Pan, Ph.D., Colin K. Watanabe and William I. Wood, Ph.D. declare and say as follows:

1. We are the inventors of the above-identified application.

2. We have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent No. 6,525,174 (Young *et al.*, issue date February 25, 2003 and effective filing date June 4, 1998) and U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).

3. The polypeptide designated as PRO1244 (SEQ ID NO:130) claimed in the above-identified application in the United States was sequenced, cloned and homology to implantation-associated protein identified prior to June 4, 1998.

4. At the time the PRO1244 polypeptide was cloned and sequenced, one of the inventors, Austin Gurney, Ph.D., was responsible for overseeing the cloning of cDNAs which

encoded novel polypeptides, including the cDNA that encoded PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.

5. At the time the PRO1244 polypeptide was cloned and sequenced, one of the inventors, Audrey Goddard, Ph.D., was, and still is, responsible for overseeing the sequencing of novel polypeptides, including the PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.

6. At the time the PRO1244 polypeptide was cloned and sequenced, one of the inventors, William I. Wood, was, and still is, responsible for overseeing the homology searches for the novel polypeptides, including that for the PRO1244 polypeptide (SEQ ID NO:130) encoded by the cDNA claimed in the above-identified application.

7. A cDNA clone, referred to as DNA64883-1526 in the above-identified application, was identified as encoding the PRO1244 polypeptide.

8. The full length of the cDNA clone is shown in Figure 73 of the above-identified application. The full-length cDNA sequence has 2213 nucleotide residues. The full length of the PRO1244 peptide encoded by DNA64883-1526 is shown in Figure 74 of the above-identified application. The full-length PRO1244 polypeptide has 335 amino acid residues.

9. Copies of the pages from the GSeqEdit database which report the cloning and sequencing data for the PRO1244 polypeptide sequence and its encoding nucleic acid sequence are attached to this declaration (with the dates redacted) as Exhibit A.

10. The GSeqEdit report shows the full-length nucleic acid sequence for DNA-64883-1526 (identified as "DNA-64883") and the full-length PRO1244 polypeptide encoded by DNA 64883. Both the DNA-64883 and the PRO1244 polypeptide sequences were obtained prior to June 4, 1998.

11. The DNA-64883 sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 129 disclosed in the above-identified application.

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16. All activities listed under paragraphs 4-15 were completed prior to June 4, 1998. (See Exhibits A and B).

17. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Napoleone Ferrara, Ph.D.	Date
Audrey Goddard, Ph.D.	Date
Paul J. Godowski, Ph.D.	Date
James Pan, Ph.D.	Date

Austin Gurney, Ph.D.	Date
Colin K. Watanabe	Date
William I. Wood, Ph.D.	10/5/04 Date

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10/1/04 2:03 PM (39780.2830)

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>[redacted] DNA64883 sheldens GSeqEdit
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>human ortholog of implantation-associated protein - Rattus

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   alw26I/bsmAI          bsaXI       hpy188I                  mspA1I/nspBII                                  bsmAI
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    GTCGGAGACG GGTTTCTTTC TTCCTCTACC ACAATAGACT TTTCCAATCA GTCGACTACC TTACCTGATT GTTTTCTGGA CATTATTCTT ACTTACCTCT
 27   A  S  A  Q  R  K  K  E  M  V  L  S  E  K  V  S  Q  L  M  E  W  T  N  K  R  P  V  I  R  M  N  G  D

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                                                          btsI                 ahdI/eam1105I    cac8I
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 60  K  F  R  R  L  V  K  A  P  P  R  N  Y  S  V  I  V  M  F  T  A  L  Q  L  H  R  Q  C  V  V  C  K  Q
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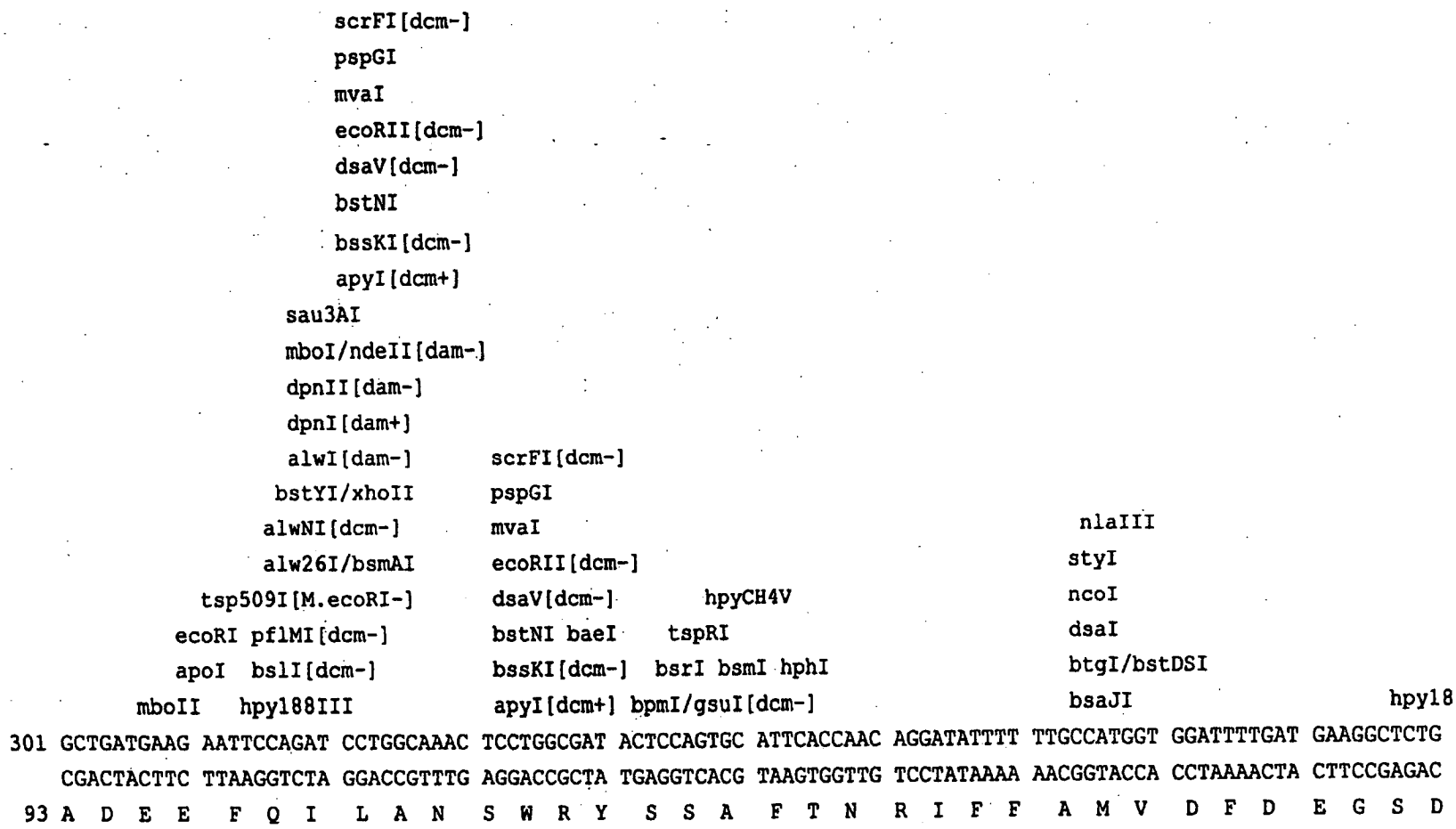
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                                        taqI                                                    aluI
                                        sfuI                                                    tseI
                                        bstBI                                 fokI              fnu4HI/bsoFI
                                        bsiCI                tsp509I  tru9I   bstF5I            bbvI
                                baeI    mboII mboII          apoI     mseI    bsrI     mwoI hpyCH4V
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    CCTAACGAAA ACCGACAATA ACCACCTGAA CACATAGAAG CTTCTTCATT ATACCTTAAA GAGAAATTAT TTTGACCTAC CCGAAAACGT CGAAACACAA
193 G  L  L  L   A  V  I   G  G  L   V  Y  L   R  R  S   N  M  E   F  L  F   N  K  T   G  W  A   F  A  A   L  C  F
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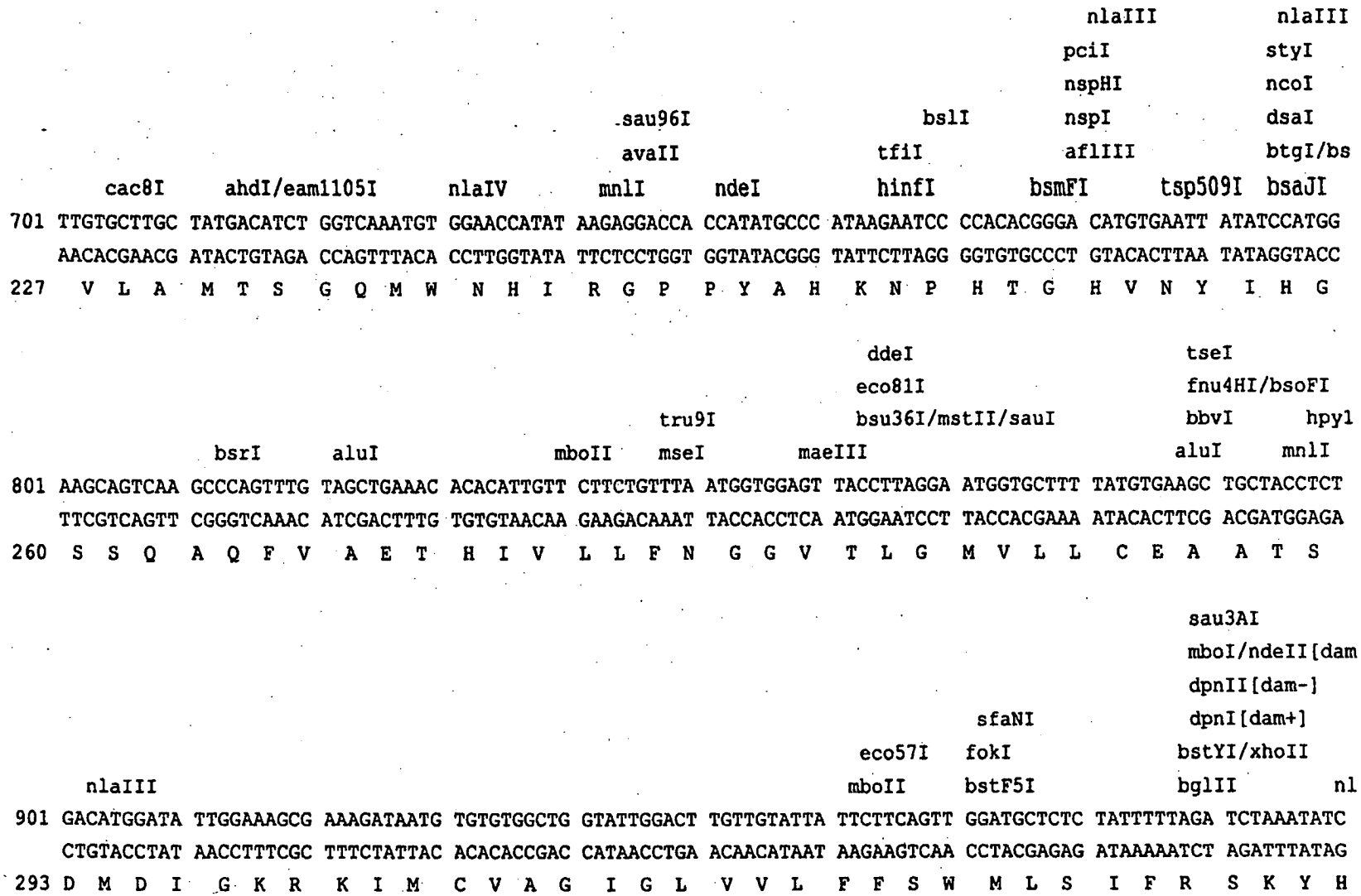
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ahdI/eam1105I
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hinfI
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tseI
eco81I
fnu4HI/bsoFI
tru9I
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bbvI
hpy1
bsrI
aluI
mboII
mseI
maeIII
aluI
mnlI
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mboII
bstF5I
bglII
nl
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 327   G  Y  P   Y  S  F   L  M  S  O

                                                                tru9I
                                                                mseI    tru9I
          bsmI                                                  ahaIII/draI        tru9I                        tru9I
       mboII hpyCH4V                      mnlI                  swaI       mseI     mseI      mboII              mseI
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                          mnlI
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                        bspCNI                      mnlI tru9I     mboII tspRI                  tru9I    rsaI tsp509I
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                                                                                                    taiI
                                                                                                 hgiAI/aspHI
                                                                                                 bsp1286
                                                                                 hpy188I         bsiHKAI    rmaI  ddeI
     bstZ17I                                                                    mboII          hpy188I   maeII/hpyCH4IV
     bst1107I                                                                   bpuAI         eco57I    aflIII maeI  bspC
     accI       sfaNI                          tsp509I     nlaIII bbsI         mboII  bmyI btrI  bfaI mnlI
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                                                                                                  hpy188I
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                                                                                                  xmnI
                                                                                                  hinfI
                                                                                                  tfiI
                                                                                                  hincII/hindII
                                                                                                  hpaI
                                                                                                  mseI
                                                                                                  tru9I
                                                                                                  smlI
                                                                                                  psiI
                                                                                                  tsp509I
                                                                                                  haeIII/palI
                                                                                                  maeIII
                                                                                                  nlaIII
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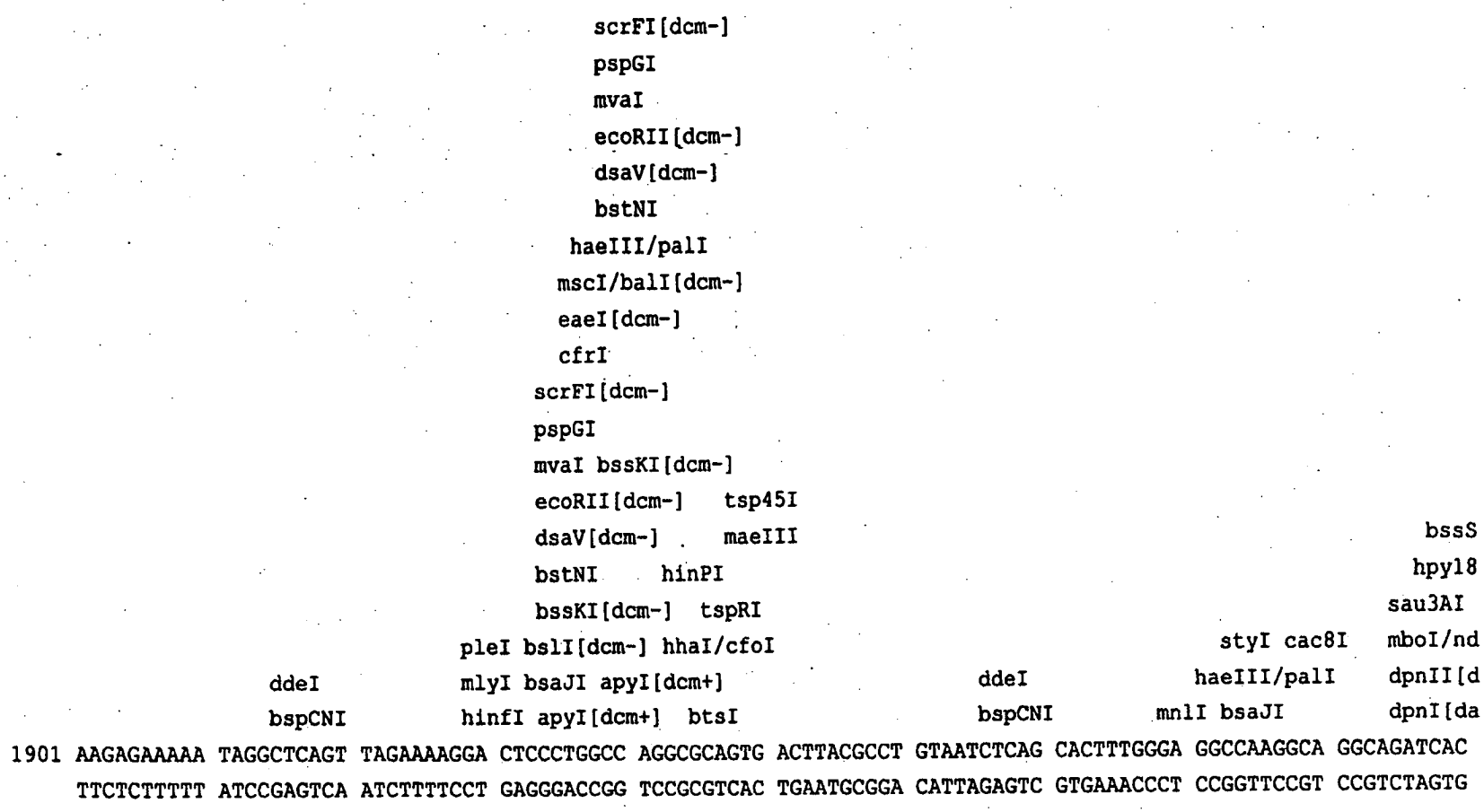
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                                                                                                    mvaI
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                        bspCNI      hinfI        ddeI                       dpnII[dam-] hpyCH4V    apyI[dcm+]
      aluI       mnlI  mnlI bssSI              bspCNI      mnlI    tspRI    dpnI[dam+] bsgI  bpmI/gsuI[dcm-]
2101 CAGCTACACA GGAGGCTGAG GCACGAGAAT CACTTGAACT CAGGAGATGG AGGTTTCAGT GAGCCGAGAT CACGCCACTG CACTCCAGCC TGGCAACAGA
     GTCGATGTGT CCTCCGACTC CGTGCTCTTA GTGAACTTGA GTCCTCTACC TCCAAAGTCA CTCGGCTCTA GTGCGGTGAC GTGAGGTCGG ACCGTTGTCT
```

```
                                                        fnu4HI/bsoFI
                                                       haeIII/palI
                                                      mcrI
                                                      eagI/xmaIII/eclXI
                                                      eaeI
                                                      cfrI
          pleI                                        bsiEI      rmaI
          mlyI                                      notI         maeI
          hinfI                                     fnu4HI/bsoFI bfaI
        bsmAI                                       aciI aciI  speI
2201 GCGAGACTCC ATCTCAAAAA AAAAAAAAAA AAAAAAAAAA AAAAAAAGGG CGGCCGCCGA CTAGTGAGC
     CGCTCTGAGG TAGAGTTTTT TTTTTTTTTT TTTTTTTTTT TTTTTTCCC GCCGGCGGCT GATCACTCG
```

> length: 2269

accI(GTMKAC):	1501
aciI(CCGC):	39 498 2250 2254
aflIII(ACRYGT):	780 1586
ahaIII(TTTAAA):	1150
ahdI(GACNNNNNGTC):	278 714
aluI(AGCT):	152 300 429 510 690 822 888 1015 1345 1476 1816 2070 2102
alw26I(CAGNNNCTG):	101 316
alwI(GGATCNNNN):	318 530
alwNI(CAGNNNCTG):	101 316
apoI(RAATTY):	3 310 423 655 1464
apyI(CCWGG):	321 332 1422 1934 1939 2023 2189
asp700(GAANNNNTTC):	1464 1749
aspHI(GWGCWC):	1582

DNA64883

DNA Info Project DNA56011

Is Primarydna ☑

Source Info 628 FLS 2333 LIB309 RNA217 SRC685 Human blank Incyte

Gene Info PRO1244 Human IAG2 UNQ628

Gene Annotation

Genome Mapping Run Geode

Affy
- HGU133A 221553_at
- HGU133B 224899_s_at
- HGU133P 221553_at, 224899_s_at
- HGU95B 43481_at, 45230_at
- HGU95E 90925_at
- Hu35KB RC_N48787_at
- Hu35KC RC_AA133886_at, RC_AA157267_at
- HuGenen1 AF130104_at, P_A37058_at
- MGU74B 106968_at, 110460_at
- MGU74C 140441_at
- MOE430A 1419459_a_at
- MOE430P 1419459_a_at

Agilent
- H1Av2 A_23_P148273
- H1A A_23_P148273
- H1Av2 A_23_P148273
- M1A A_51_P206624
- WHG A_23_P148273, A_24_P105164, A_24_P333802, A_24_P485219

FANTOM Mouse:2410001C15, 2610529C04, 2810435A10, 9130015A07

GenBank Human:AF130104, AK027632, AK075394, AL136636, AY358691, BC060842, BC063037
Mouse:AK010320, AK012185, AK013243, AK018623, BC003881

GeneHub Human:GENE30707
Mouse:MGENE40317

INCYFL Human:9 59272.FL1_0

Incyte Human:1 397153.5, 1397153.6

LocusLink Human:8 4061
Mouse:67075

MGI Mouse:1914325

Proteome Human:NP_115497.3
Mouse:NP_080228.2

RefSeq Human:NM_032121
Mouse:NM_025952

UniGene Human:Hs.323562
Mouse:Mm.275943

General Info

Lab Name	3202349	Insert (Digest) Size(bp)	2600
Insert Name	implantation-associa	Reverse Size(bp)	1100
Generated By	Full Length Screen	Internal Size(bp)	700
Type of DNA	FLS	Cut Size(bp)	
Insert ID	Novel	Vector	
Action	Done FL Found	Interest	+
Concentration		Origene Cloneid	
Origene Plate		Origene Well	

Construct Info

Tag		Exp System	
Bases to Sequence		Sequence Status	

Antibody Info No antibody info

Other Info ☐ In Situ image available ☐ TaqMan Hit ☐ Transgenic Animal Model

Oligos

OLI8628	64883.AV475.f
OLI8629	64883.AV476.r
OLI8713	64883.AV499.Ef
OLI8714	64883.AV500.Er
OLI10126	64883.JF47.f
OLI10127	64883.JF48.r
OLI11477	64883.tm.f1
OLI11478	64883.tm.r1
OLI11479	64883.tm.p1
OLI26217	64883.f10
OLI26218	64883.r10

Comments

Login	Date Entered	Annotation
amg	[redacted]	Incyte clone 3202349 Sequencing at ABI
goddarda	[redacted]	human ortholog of implantation-associated protein - Rattus norvegicus
nico	[redacted]	Multi-TM with N term ECD

Legal Status

DNAID	Docket Num	Filing Date
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	
DNA64883	[redacted]	

DNA64883 [redacted]
DNA64883 [redacted]
DNA64883 [redacted]
DNA64883 [redacted]
DNA64883 [redacted]

Status

Scientist	Alane Gray	Date Entered	[redacted]
Notebook	28923	Date Updated	[redacted]
Page	86	Date Completed	
Storage Location		Date Canceled	
Box		Cancel Reason	
Slot		Clone Status	not reviewed
Inventory Status		Sequence Status	

Others ☐ Sent to pLASMID Archive
☐ Clone Verified

Project Member

No Project member generated

FLS FLSDNA

No FLS, FLSDNA generated

Exp Construct

EXP	Lab Name	Construct DNA	System
EXP2003	PH.64883.his.163	DNA75635	Baculovirus
EXP1945	sst.64883.H8	DNA79249	Mammalian Stable
EXP2354		DNA79249	Mammalian Stable
EXP2342	64883.644 IgG	DNA83540	Baculovirus

ABI

No ABI run generated

MA Plate

MA Plate	Well Num	Well Location	Date	Tyep Plate
PLT72	61	F1	[redacted]	Storage

Print Run

No Print run generated

XPT

No XPT generated

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